

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**JAMES G. AKERS,**

**Plaintiff,**

**v.**

**SPECIALIZED LOAN  
SERVICING, LLC,**

**Defendant.**

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**No. 3:12-cv-00901**

**Judge Sharp**

**Magistrate Judge Knowles**

**ORDER**

Pending before the Court is a Report and Recommendation (“R & R”) of the Magistrate Judge, concluding “Plaintiff has failed to state a claim upon which relief can be granted,” and recommending that *Defendant’s Motion to Dismiss* and *Defendant’s Motion to Renew its Motion to Dismiss* (Docket Entry Nos. 27 and 34) be granted. *See* (Docket Entry No. 45). Plaintiff filed a timely response in opposition to the R & R. (Docket Entry No. 48).

Having thoroughly reviewed the record in this case and the applicable law in accordance with Rule 72(b), the Court will accept the R & R of the Magistrate Judge.

Accordingly, the Court hereby rules as follows:

(1) The Report and Recommendation (Docket Entry No. 45) is hereby ACCEPTED and APPROVED, and Plaintiff’s objections thereto (Docket Entry No. 48) are hereby OVERRULED;


(2) *Defendant’s Motion to Dismiss* and *Defendant’s Motion to Renew its Motion to Dismiss* (Docket Entry Nos. 27 and 34) are hereby GRANTED;

(3) To the extent Plaintiff’s objection seeks leave to amend his *Petition for Restraining Order; [sic] & for Order to Enforce Contract Provisions*, this request is hereby DENIED; and

(4) Plaintiff's case is hereby DISMISSED WITH PREJUDICE.

The Clerk is directed to enter Judgment in a separate document in accordance with Federal Rule of Civil Procedure 58.

**It is SO ORDERED.**

  
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KEVIN H. SHARP  
UNITED STATES DISTRICT JUDGE